

# The Gazette of India



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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 10th March 1961 :—

| Issue No. | No. and date                        | Issued by                 | Subject   |
|-----------|-------------------------------------|---------------------------|---|
| 23        | G.S.R. 328, dated 6th March, 1961.  | Ministry of Home Affairs. | Intention to amend the Bengal Finance (Sales Tax) Act, 1941.  |
| 24        | G.S.R. 329, dated 8th March, 1961.  | Do.                       | Amendments in the Bengal Finance (Sales Tax) Act, 1941.       |
| 25        | G.S.R. 343, dated 10th March, 1961. | Do.                       | The President withdrawing the Orissa Appropriation Ordinance. |

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

## PART II—Section 3—Sub-section (i)

General Statutory Rules (including orders, bye-laws etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

## MINISTRY OF LAW

New Delhi, the 8th March 1961

**G S R. 348.**—In exercise of the powers conferred by rule 1 of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Law S.R.O. No. 351 dated the 25th January 1958 relating to the signing and verification of plaints and written statements in suits in courts of civil jurisdiction by or against the Central Government.

In the Schedule to the said notification, under the heading 'XII-Ministry of Information and Broadcasting', after the entry 'Deputy Director, Research and Reference Division' the following entries shall be inserted, namely:—

"Director of Field Publicity.

Director Song and Drama Division.

Officer on Special Duty, Film Institute of India.

Chief Photo Officer, Integrated Photo Unit."

[No. F. 16(1)/61-Judl.]

*New Delhi, the 9th March 1961*

**G.S.R. 349.** (*Government Pleaders/Amendment 3*).—In exercise of the powers conferred by clause (a) of rule 8B of Order XXVII of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Law No. G.S.R. 1412, dated the 25th November, 1960, namely:

In the Schedule to the said notification, under item 12, relating to Rajasthan—

- (i) clause (b) and the entries thereunder shall be omitted; and
- (ii) after clause (b) is so omitted, the existing clause “(c)” shall be relettered as clause “(b)”.

[No. F. 15(2)/60-Judl.]

G. S. GAITONDE, Jt. Secy.

### MINISTRY OF HOME AFFAIRS

*New Delhi, the 10th March 1961*

**G.S.R. 350.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules relating to the recruitment to the post of Secretary to the Administrator of the Laccadive, Minicoy and Amindivi Islands, namely:—

**1. Short title.**—These rules may be called the Laccadive, Minicoy and Amindivi Islands (Recruitment to the Post of Secretary to the Administrator) Rules, 1961.

**2. Application.**—These rules shall apply to the post of Secretary to the Administrator of the Laccadive, Minicoy and Amindivi Islands.

**3. Classification, scale of pay, method of recruitment, age limit, etc.**—The classification, scale of pay, method of recruitment, qualifications and other matters relating to the post of Secretary to the Administrator of the Laccadive, Minicoy and Amindivi Islands shall be as specified in the Schedule annexed hereto:

Provided that the upper age-limit prescribed for direct recruitment may be relaxed in the case of Scheduled Castes and Scheduled Tribes and other special categories, in accordance with the general orders issued from time to time by the Government of India.

**4. Disqualification.**—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to service; and

(b) no woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service;

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

THE SCHEDULE

| Name of post   | No. of posts | Classification                        | Scale of pay   | Whether selection post or non-selection post | Period of probation | Method of recruitment whether by direct recruitment or by promotion or transfer and percentage of the vacancies to be filled by various methods | In case of recruitment by promotion transfer, grades from which promotion to be made  | Circumstances in which U.P.S.C. is to be consulted in making recruitment. |
|--|--------------|---------------------------------------|----------------|--|---------------------|---|---|---|
| I  | 2            | 3                                     | 4              | 5  | 6                   | 7   | 8   | 9   |
| Secretary to the Administrator, Laccadive, Minicoy and Amindivi Islands. | One          | Class II (Gazetted) (Non-Ministerial) | Rs. 300—25—500 | Selection                                    | Two years.          | By promotion failing which by transfer on deputation  | <i>Promotion</i><br>Subpdt.—I<br>(Rs. 200—300)<br><i>Transfer/Deputation</i> :<br>by transfer of a suitable Malayalam knowing Tahsildar (or equivalent officer) from the Adjacent States of Kerala or Madras. | As required under the rules.  |

[No. 71/4(41)/60-ANL.]

S. P. BALASUBRAMANIAN, Under Secy.

*New Delhi-11, the 14th March 1961*

**G.S.R. 351.**—In pursuance of rule 11 of the Indian Administrative Service (Pay) Rules, 1954, the Central Government, after consultation with the Government of Andhra Pradesh, hereby makes the following amendment in Schedule III appended to the said Rules.

2. The amendment shall be deemed to have come into force on 1st February, 1961.

*Amendment*

In the said Schedule III, under the heading "B-Posts carrying pay in the time-scale of the Indian Administrative Service under the State Governments including posts carrying special pays in addition to pay in the time-scale" against "Andhra Pradesh", for the entry

"Deputy Commissioner of Excise"

the following entry shall be substituted:—

"Joint Secretary, Board of Revenue (Excise and Prohibition)."

[No. 1/20/61-AIS(II).]

T. R. RAGHURAMAN, Under Secy.

**MINISTRY OF FINANCE**

**(Department of Revenue)**

**INCOME-TAX**

*New Delhi, the 1st March 1961*

**G.S.R. 352.**—In exercise of the powers conferred by sub-section (2) of section 58L of the Indian Income-tax Act, 1922 (11 of 1922), the Central Government hereby makes the following further amendments in the Indian Income-tax (Provident Funds Relief) Rules, the same having been previously published as required by sub-section (1) of the said section read with sub-section (4) of section 59 of the said Act:—

1. These rules may be called the Indian Income-tax (Provident Funds Relief) Amendment Rules, 1960.

2. In the Indian Income-tax (Provident Funds Relief) Rules, for sub-rule (2) of rule 1, the following sub-rule shall be substituted, namely:—

(1) "They extend to the whole of India"

(2) in rule 10,

(a) in sub-rule (1), in the proviso, for the words and figures "Rule 7 of the Indian Companies Rules, 1914", the words, brackets and figures "rule 17 of the Companies (Central Government's) General Rules, 1956" shall be substituted;

(b) for items (i), (ii) and (iii) of clause (b) of sub-rule (3), the following items shall be substituted, namely:—

"(i) India;

(ii) outside India."

[No. 16.]

S. NARAYAN, Dy. Secy.

**(Department of Revenue)**

**CUSTOMS AND CENTRAL EXCISE**

*New Delhi, the 18th March 1961*

**G.S.R. 353.**—The following draft of rules further to amend the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 29th March 1961.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

#### DRAFT RULES

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1961.

2. In the Second Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, after the existing item at Serial Number 78 and entries relating thereto, the following shall be added, namely:—

"79. Shrimp Cartons for packing Sea food."

[No. 25/F. No. 34/220/59-Cus.IV.]

**G.S.R. 354.**—The following draft of rules further to amend the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, which the Central Government proposes to make in exercise of the powers conferred by sub-section (3) of section 43B of the Sea Customs Act, 1878 (8 of 1878) and section 37 of the Central Excises and Salt Act, 1944 (1 of 1944), as in force in India and as applied to the State of Pondicherry, is published as required by the said sub-section (3) of the said section 43B for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 19th April, 1961.

2. Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

#### DRAFT RULES

1. These rules may be called the Customs and Central Excise Duties Export Drawback (General) Amendment Rules, 1961.

2. In the Second Schedule to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960, for the existing item at Serial No. 38 and entries relating thereto, the following shall be substituted, namely:—

"38. (i) Cosmetic Preparations;

(ii) Perfumery Compound and Perfumery".

[No. 26/F. No. 34/69/61-Cus.IV.]

#### CUSTOMS

**G.S.R. 355.**—In exercise of the powers conferred by sub-section (1) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. G.S.R. 575 (55/F. No. 34/86/60-Cus.IV), dated the 28th May, 1960, namely:—

##### *Amendment*

In the Schedule to the said notification, after the existing entry at Serial Number 117 and entries relating thereto the following shall be added, namely:—

"118. Shrimp Cartons for packing Sea food."

[No. 22-A/F. No. 34/220/59-Cus.IV.]

**G.S.R. 356.**—In exercise of the powers conferred by sub-section (1) of section 43B of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry the Central Government hereby makes the following further amendment in the notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. GSR-575 (55/F. No. 34/86/60-Cus.IV), dated the 28th May, 1960, namely:—

##### *Amendment*

In the Schedule to the said notification, for the existing entry at Serial No. 68, the following entry shall be substituted, namely:—

"88. (i) Cosmetic Preparations;

(ii) Perfumery compound and Perfumery".

[No. 27 F. No. 34/69/61-Cus.IV.]

M. C. DAS, Dy. Secy.

**MINISTRY OF COMMERCE AND INDUSTRY**  
(Department of Company Law Administration)

*New Delhi, the 14th March 1961*

**G.S.R. 357.**—In exercise of the powers conferred by clause (b) of sub-section (2) of section 226 of the Companies Act, 1956 (1 of 1956), the Central Government hereby makes the following rules to amend the Restricted Auditors' Certificates (Part B States) Rules 1956, published with the notification of the Government of India in the Ministry of Finance (Department of Company Law Administration) No. S.R.O., 432C, dated the 18th February, 1956, namely:—

1. These rules may be called the Restricted Auditors' Certificates (Part B States) Rules, 1956.
2. In the Restricted Auditors' Certificates (Part B States) Rules, 1956,—
  - (a) in subrule (1) of rule 1, the following shall be omitted, namely:—“(Part B States)”;
  - (b) in rule 3, the words “in the State specified in such certificate” shall be omitted;
  - (c) in rule 5, in sub-rule (3), the words “in the State in which he was entitled to practise” shall be omitted;
  - (d) in Form A, the brackets, figure and words “(8) State within which certificate is valid” shall be omitted and items (9), (10), (11) and (12) shall be renumbered as items (8), (9), (10), and (11) respectively;
  - (e) in Form B,—
    - (i) in the heading, the words “in the State of” shall be omitted;
    - (ii) in paragraph 1, the words “within the State of .....,” shall be deleted;
    - (iii) in paragraph 5, the words “for practice within the State of .....” shall be omitted.
  - (f) in Forms C and D,—
    - (i) the words “for practice within the State of .....,” shall be omitted;
    - (ii) after the figures and words “30th June, 19.....”, the words “for practice anywhere in India” shall be inserted.

[No. 7/10/61-Inst.]

B. S. MANCHANDA, Dy. Secy.

**MINISTRY OF STEEL, MINES AND FUEL**  
(Department of Mines and Fuel)

*New Delhi, the 9th March 1961*

**G.S.R. 358.**—In exercise of the powers conferred by sub-section (2) of section 26 of the Mines and Minerals (Regulation and Development) Act, 1957 (87 of 1957), the Central Government hereby directs that subject to its control, the powers exercisable by a State Government under the Mineral Concession Rules, 1960, shall also be exercisable in any Union Territory by the Administrator of the Union Territory, whether called a Lieutenant Governor or a Chief Commissioner or an Administrator.

[No. MII-152(10)/61.]

B. N. RAMAN, Dy. Secy.

**MINISTRY OF FOOD & AGRICULTURE**  
(Department of Agriculture)

*New Delhi, the 24th February, 1961*

**G.S.R. 359.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the post of Director, Tractor Training and Testing

Station, Budni (Madhya Pradesh) under the Ministry of Food & Agriculture (Department of Agriculture), namely:—

1. **Short title.**—These rules may be called the Tractor Training and Testing Station, Budni (Recruitment to Class I post) Rules, 1961.

2. **Application.**—These rules shall apply for recruitment to the post specified in column 1 of the Schedule annexed hereto.

3. **Classification and scale of pay.**—The number of post, its classification and scale of pay attached to it shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the Schedule aforesaid.

Provided that the age limit prescribed for direct recruitment may be relaxed in the case of candidates belonging to Scheduled Castes/Tribes, displaced persons and other special categories in accordance with the orders issued by the Central Government from time to time.

5. **Disqualification.**—(a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during his life time of such spouse, shall be eligible for appointment to service; and

(b) no woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage shall be eligible for appointment to service;

Provided that the Central Government may, if satisfied that there are special grounds for so ordering exempt any person from the operation of this rule.

*Recruitment rules for the post of Director, Tractor Training and Testing Station, Budni, in Ministry of Food and Agriculture*

| Name of post   | No. of posts | Classification                    | Scale of pay                       | Whether selection post or non-selection post | Age limit for direct recruits | Educational and other qualifications required for direct recruits   | Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees | Period of probation if any | Method of recruitment whether by direct recruitment or by promotion or transfer and percentage of the vacancies to be filled by various methods | In case of recruitment by promotion/transfer, from which promotion to be made | If a D.P.C. exists what is its composition | Circumstances in which U.P.S.C. is to be consulted in making recruitment |
|--|--------------|-----------------------------------|------------------------------------|--|-------------------------------|---|---|----------------------------|---|---|--|--|
| 1  | 2            | 3                                 | 4                                  | 5  | 6                             | 7   | 8   | 9                          | 10  | 11  | 12   | 13   |
| Director, Tractor Training and Testing Station, Budni. | One          | General Central Service, Class-I. | Rs. 1000—50—<br>1300—60—<br>—1600. | Not applicable.                              | Below 50 years.               | Essential :<br>(i) Degree in Mechanical Engineering or Agricultural Engineering of a recognised University Institution or equivalent qualifications.<br>(ii) About six years' experience in the operation, maintenance and repair of heavy and light tractors, mobile equipment | Not applicable  | Two years.                 | Direct recruitment.   | Not applicable.   | Not applicable.                            | As required under the rules.   |



and different types of agricultural implements used for mechanised farming.

(iii) Experience of testing agricultural equipments.

(iv) Administrative experience.

Qualifications relaxable at commission's discretion in the case of candidates otherwise well qualified.

*Desirable :*

Teaching experience in engineering subjects.

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[No. 3-3/59-My.]

SANTOKH SINGH, Under Secy.

## (Department of Agriculture)

*New Delhi, the 9th March 1961*

**G.S.R. 360.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Directorate of Economics and Statistics [Research Investigator (Grade I) (Reference)] Recruitment Rules, 1960, published with the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. G.S.R. 746, dated the 24th June, 1960, namely:—

1. These rules may be called the Directorate of Economics and Statistics [Research Investigator (Grade I) (Reference)] Recruitment Amendment Rules, 1961.

2. In the Directorate of Economics and Statistics [Research Investigator (Grade I) (Reference)] Recruitment Rules, 1960, after rule 4, the following rule shall be inserted, namely:—

*"5. Disqualification:*

- (a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to service; and
- (b) no woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service;

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule."

[No. 9-107/58-C(E).]

**G.S.R. 361.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Directorate of Economics and Statistics (certain Class I and II posts) Recruitment Rules, 1960, published with the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. G.S.R. 25, dated the 28th December, 1960, namely:—

1. These rules may be called the Directorate of Economics and Statistics (certain Class I and II posts) Recruitment Amendment Rules, 1961.

2. In the Directorate of Economics and Statistics (certain Class I and II posts) Recruitment Rules, 1960, after rule 4, the following rule shall be inserted, namely:—

*"5. Disqualification:*

- (a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to service; and
- (b) no woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service;

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule."

[No. F. 9-107/58-C(E).]

**G.S.R. 362.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Directorate of Economics and Statistics (Marketing Officer) Recruitment Rules, 1960, published with the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. G.S.R. 497, dated the 20th April, 1960, namely:—

1. These rules may be called the Directorate of Economics and Statistics (Marketing Officer) Recruitment Amendment Rules, 1961.

2. In the Directorate of Economics and Statistics (Marketing Officer) Recruitment Rules, 1960, after rule 4, the following rule shall be inserted, namely:—

**"5. Disqualification:**

- (a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to service; and
- (b) no woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule."

[No. F. 9-10/60-C(E).]

N. RANGANATHAN, Under Secy.

**(Department of Agriculture)**

*New Delhi, the 13th March 1961*

**G.S.R. 363.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to certain Class I gazetted posts in the Ministry of Food and Agriculture (Department of Agriculture), namely:—

1. **Short title.**—These rules may be called the Ministry of Food and Agriculture (Class I posts in the Soil Conservation Division) Recruitment Rules, 1961.

2. **Application.**—These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. **Number, Classification and Scale of pay.**—The number of posts, their classification and scale of pay attached to them shall be as specified in columns 2 to 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment to the said posts, age limit, qualifications and other matters relating thereto shall be as specified in columns 5 to 13 of the Schedule aforesaid.

5. **Disqualification.**—(a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to any of the posts, and

(b) no woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to any of the posts:

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

*Recruitment rules for the post of Adviser on Soil Conservation (Soil and Agronomy), Deputy Adviser*

| Name of post  | No. of posts | Classification                   | Scale of pay                          | Whether Selection post or non-selection post | Age limit for direct recruits | Educational and other qualifications required for direct recruits   |
|---|--------------|----------------------------------|---------------------------------------|--|-------------------------------|---|
| 1   | 2            | 3                                | 4                                     | 5  | 6                             | 7   |
| 1. Adviser on Soil Conservation (Soil and Agronomy).  | One          | General Central Service Class I. | Rs. 1600—1800.                        | Not applicable                               | Preferably below 50 years.    | <p><i>Essential—</i></p> <p>(i) Master's degree of a recognised University or Associate ship of the I.A.R.I. in Agronomy, Soil Science or Agricultural Chemistry.</p> <p>(ii) About 10 years experience in research and development work relating to soil conservation.</p> <p>Qualifications relaxable at Commission's discretion in the case of candidates otherwise well qualified.</p> <p><i>Desirable—</i></p> <p>(i) Doctorate in Agriculture, Agricultural Chemistry or Soil Science.</p> <p>(ii) Administrative experience.</p> |
| 2. Deputy Adviser on Soil Conservation (Engineering). | One          | General Central Service Class I. | Rs. 1000—1400 plus S.P. of Rs. 150/-. | Not applicable.                              | Preferably below 50 years.    | <p><i>Essential:</i></p> <p>(i) Degree in Civil Engineering of a recognised University or an equivalent.</p> <p>(ii) 10 years' experience in a responsible capacity of which 5 years should be in Soil Conservation Engineering.</p> <p>Qualifications relaxable Commission's discretion in the case of candidates otherwise well qualified.</p> <p><i>Desirable—</i></p> <p>Research in the design of bunds or terraces diversion channels, check dams and other soil conservation work.</p>   |

*on Soil Conservation (Engineering) and Assistant Adviser on Soil Conservation (Agronomy) in the Ministry of Food and Agriculture (Department of Agriculture)*

| Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees | Period of probation if any | Method of recruitment whether by direct recruitment or by promotion or transfer and percentage of the vacancies to be filled by various methods. | In case of recruitment by promotion transfer, grades from which promotion to be made | If a DPC exists, what is its composition | Circumstances in which UPSC is to be consulted in making recruitment |
|---|----------------------------|--|--|--|--|
|---|----------------------------|--|--|--|--|

| 8               | 9          | 10                  | 11              | 12              | 13                           |
|-----------------|------------|---------------------|-----------------|-----------------|------------------------------|
| Not applicable. | Two years. | Direct recruitment. | Not applicable. | Not applicable. | As required under the rules. |

|                 |            |                     |                 |                 |                              |
|-----------------|------------|---------------------|-----------------|-----------------|------------------------------|
| Not applicable. | Two years. | Direct recruitment. | Not applicable. | Not applicable. | As required under the rules. |
|-----------------|------------|---------------------|-----------------|-----------------|------------------------------|

| 1   | 2   | 3                               | 4  | 5                   | 6                  | 7  |
|---|-----|---------------------------------|--|---------------------|--------------------|--|
| 3. Assistant Adviser on Soil Conservation (Agronomy). | One | General Central Service Class I | Rs. 600—40—<br>1000—1000—<br>1050—1050—<br>1100—1100—<br>1150. | Not appli-<br>cable | Below 40<br>years. | <p><i>Essential—</i></p> <p>(i) M.Sc. in Agronomy or B.Sc. (Agri.) Chemistry or Botany with post-graduate diploma training in Agronomy at I.A.R.I.</p> <p>(ii) About 8 years' research/practical experience in Agronomy of which 5 years should be with special reference to soil conservation.</p> <p>Qualifications relaxable at Commission's discretion in the case of candidates otherwise well qualified.</p> |

| 8                    | 9        | 10   | 11  | 12              | 13                           |
|----------------------|----------|--|---|-----------------|------------------------------|
| Qls.—Yes.<br>Age—No. | Two Yrs. | By transfer, failing which by promotion 75% and by direct recruitment 25%. | +<br><i>Transfer</i> —<br>Soil Conservation Officers at Conservation Centres possessing the basic qualifications.<br><i>Promotion</i> —<br>Assistant Soil Conservation Officers at Soil Conservation centres possessing basic qualifications. | Class<br>D.P.C. | As required under the rules. |

[No. 11-5/60-Estt.I.]

I. D. KHANNA, Under Secy.

## MINISTRY OF HEALTH

*New Delhi, the 10th March 1961*

**G.S.R. 364.**—In exercise of the powers conferred by proviso to Article 30, of the Constitution, the President hereby makes the following rules regulating the recruitment of persons to certain Class II Gazetted posts (Non-medical) in the Safdarjang Hospital and Willingdon Hospital and Nursing Home, New Delhi, namely:—

1. **Short title.**—These rules may be called the Safdarjang Hospital and the Willingdon Hospital and Nursing Home (Non-Medical Gazetted Posts) Recruitment Rules, 1960.

2. **Application.**—These rules shall apply to the Class II posts specified in column (1) of the Schedule annexed hereto.

3. **Number, Classification, Scale of Pay and Method of Recruitment.**—The number and classification of the posts and the scales of pay attached thereto, qualifications, method of recruitment and other matters connected therewith shall be as specified in columns 2 to 14 of the said Schedule. Scales of Pay as indicated in Column (4) and other allowances in respect of posts at sl. Nos. 2, 3 and 6, are however, subject to revision on the basis of the acceptance of the recommendations of the Pay Commission.

## SCHE

*Recruitment Rules for the—Non medical-Gazetted posts in the Safdarjang Hospital and*

| Name of Post  | No. of Posts | Classification                             | Scale of Pay   | Whether selection post or non-selection pos | Age limit for direct recruits | Education and other qualifications required for direct recruits  |
|---|--------------|--|--|---|-------------------------------|--|
| 1   | 2            | 3  | 4  | 5   | 6                             | 7  |
| 1. (a) Pathologist (Bio-chemistry Willingdon Hospital and Nursing Home. | One          | G.C.S. Class II gazetted (non-ministerial) | Rs. 375—25—500—30—590—EB—30—800—EB—30—830—35—900. <i>plus</i> a non-practising allowance of 25 % of pay, subject to a minimum of Rs. 150/- p.m. and a maximum of Rs. 400/- p.m. for appointees who possess medical qualifications. | N.A.  | *Below 35 years.              | <i>Essential :—</i><br>(i) Medical qualifications included in the first and second schedule and Part II of the third schedule to the Indian Medical Council Act 1956.<br>OR<br>Master's degree in Bio-Chemistry or in Chemistry with bio-chemistry as the special subject of a recognised University.<br>(ii) About 3 year's research or practical experience in Bio-chemical or Pathological Laboratory preferably of a Medical College or Hospital.<br>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well-qualified.) |
| (b) Bio-chemist Safdarjang Hospital, New Delhi.                         | One          |  |  |   |                               |  |
| 2. (a) Matron, Willingdon Hospital and Nursing Home.                    | Two          | G.C.S. Class II Gazetted (non-ministerial) | Rs. 320—20—400 <i>plus</i> usual allowances (Messing allowance, uniform allowance and Dhobi allowance) Free furnished accommodation with   | Selection                                   | Bet. 35 & 45 yrs              | <i>Essential —</i><br>(i) Matriculation or equivalent examination.<br>(ii) Senior General Nursing and Midwifery Certificate.<br>iii) Registered Nurse and midwife  |
| (b) Matron, Safdarjang Hospital, New Delhi.                             |              |  |  |   |                               |  |



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*the Willingdon Hospital and Nursing Home, New Delhi in the Ministry of health.*

| Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees | Period of probation if any | Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods  | In case of rectt by promotion/transfer, grades from which promotion to be made | If a DPC exists what is its composition | Circumstances in which U.P.S.C is to be consulted in making rectt. | Remarks  |
|---|----------------------------|--|--|---|--|--|
| 8   | 9                          | 10   | 11   | 12                                      | 13   | 14   |
| N.A.  | Two years                  | By direct recruitment or by deputation from the appropriate grade of the C.H.S. and the particular method in each case being determined in consultation with the Commission. |  | N.A.                                    | As required under the rules.                                       | N.B.—(1) The maximum age limit will be relaxed for candidates belonging to Scheduled Castes/Tribes, Displaced persons and other categories of persons in accordance with orders of the Government of India issued from time to time.<br><br>(2) The appointment will be subject to furnishing a certificate to the effect that persons do not have more than one wife living/in the case of woman officer that she is not married to a person having more than one wife. |
| Edu—Yes.<br>Age—No.   | Two years.                 | By promotion failing which by direct recruitment.  | Promotion (i) Asstt. Matron<br>(ii) Ward Sisters.                              | Class II D.P.C.                         | As required under the rules.                                       | N. .B.—(1) The maximum age limit will be relaxed for candidates belonging to Scheduled Castes/Tribes, Displaced Persons and other categories of persons in accordance with the orders of   |

| 1  | 2             | 3  | 4   | 5                | 6   | 7   |
|--|---------------|--|---|------------------|---|---|
|  |               |  | free water and<br>free electri-<br>city and free<br>service of<br>domestic ser-<br>vants. |                  |   | (iv) About 5 years<br>experience of which<br>three years should<br>be as Ward Sister<br>or Assistant<br>Matron.<br><br>(Qualifications re-<br>laxable at Com-<br>mission's discre-<br>tion in case of<br>candidates otherwise<br>well qualified).<br><br><i>Desirable :—</i><br>A recognised course<br>in teaching or<br>Nursing Adminis-<br>tration. |
| 3. (a) Dentist,<br>Willingdon Ho-<br>spital.<br><br>(b) Dentist, Saf-<br>darjang Hospi-<br>tal, New Delhi. | FF<br><br>Two | G. C. S. Rs. 300—25—500 ..<br>Class II —EB—30—<br>Gazetted 650—EB—30<br>(non-mi-<br>nisterial).<br>25% of pay as<br>non-practising<br>allowance, su-<br>bject to a mi-<br>nimum of Rs.<br>150/- p.m. and<br>a maximum<br>of Rs. 400/-<br>p.m. for appo-<br>intees who<br>possess medi-<br>cal. qualifica-<br>tion. |   | *Below 35 years. | <i>Essential :—</i><br>(1) A qualification<br>included in Part I<br>and Part II of the<br>Schedule to the<br>Dentist Act, 1948.<br>(2) About one year's<br>Post-graduate tra-<br>ining in a recog-<br>nised Dental Insti-<br>tution.<br>(3) about three years'<br>experience of den-<br>tal work in a<br>hospital or in<br>private practice.<br><br>(Qualification relax-<br>able at Commis-<br>sion's discretion<br>in case of candi-<br>dates otherwise<br>well qualified).<br><br><i>Desireable :—</i><br>Experience in tea-<br>ching in dentis-<br>try. |   |
| 4. Administrative<br>Officer Safdar-<br>jang Hospital.   | One           | G. C. S. Rs. 620—30— N.A.<br>Class II 830—35—900.<br>Gazetted<br>(Ministe-<br>rial).   |   | *Below 45 years. | <i>Essential :—</i><br>(i) Degree of a re-<br>cognised Universi-<br>ty.<br>(ii) About 5 years'<br>experience of es-<br>tablishment work<br>in responsible ca-<br>pacity under Govt.<br>or in public bodies<br>or in private con-<br>cern of repute.<br>(iii) Knowledge of<br>Govt. rules and re-<br>gulations including   |   |

| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
|---|---|----|----|----|----|----|
|---|---|----|----|----|----|----|

the Government of India issued from time to time.

(2) The appointment is subject to furnishing a declaration to the effect that the candidate does not have more than one wife living/ in the case of woman officer, that she is not married to a person having more than one wife.

.. 2 years By direct recruitment.

..

N.A.

For direct recruitment

N.B. (1) The maximum age limit will be relaxed for candidates belonging to S.C./ Tribes/ Displaced persons and other categories of persons in accordance with the orders of the Govt. of India issued from time to time.

(2) The appointment is subject to furnishing a declaration to the effect that the candidate does not have more than one wife living/ in the case of woman officer that she is not married to a person having more than one wife

| 1   | 2   | 3  | 4  | 5    | 6              | 7  |
|---|-----|--|--|------|----------------|--|
|   |     |  |  |      |                | audit and accounts rules and secretariat procedure   |
|   |     |  |  |      |                | (Qualifications relaxable at Commission's discretion in case of candidates otherwise well-qualified).  |
|   |     |  |  |      |                | <i>DESIRABLE</i><br>Experience of administrative work in a medical or Public Health Institute.   |
| 5. Dietitian, Safdarjang Hospital, New Delhi. | One | G. C. S. Class II Gazetted (non-ministerial) | Rs. 390—20<br>—450—25—<br>475.                 | N.A. | Below 35 years | <i>Essential</i> :<br>(i) At least second Class degree in Home Economics or Home Science with nutrition as speciality from a recognised University.<br>(ii) Post graduate training and experience for about two years in the Dietetics Deptt. of a Hospital.<br>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well-qualified) |
| 6. Physicist, Safdarjang Hospital, New Delhi. | Do. | Do.  | Rs. 275—25<br>—500—EB—<br>30—650—EB<br>—30—800 | N.A. | Do.            | <i>Essential</i> :<br>(i) At least a 2nd Class Master's or equivalent Honours degree in Physics of a recognised university.<br>(ii) About two years' practical training and or experience in X-ray and electronic equipments in an X-ray Deptt. of Laboratory.   |

| 8    | 9       | 10                    | 11   | 12   | 13                     | 14  |
|------|---------|-----------------------|------|------|------------------------|---|
| N.A. | 2 years | By direct recruitment | N.A. | N.A. | For direct recruitment | <p>1. The maximum age limit will be relaxed for candidates belonging to Scheduled Castes/Tribes, Displaced Persons and other categories of persons in accordance with the orders of the Govt. of India, issued from time to time.</p> <p>2. The appointment is subject to furnishing a declaration to the effect that the candidate does not have more than one wife living/ in the case of woman officer, that she is not married to a person having more than one wife.</p> |
| N.A. | Do.     | Do.                   | Do.  | Do.  | Do.                    | Do.   |

| 1   | 2   | 3  | 4   | 5    | 6              | 7   |
|---|-----|--|---|------|----------------|---|
| 7. Senior Physiotherapist, Safdarjang Hospital. | One | G. C. S. Class II Gazetted (non-ministerial) | Rs. 350—25<br>—500—30—<br>590—EB—30<br>—800—EB—<br>30—830—35—<br>900. <i>plus</i> a non-practising allowance of 25% of pay, subject to a minimum of Rs. 150/- p.m. and a maximum of Rs. 400/- p.m. for appointees who possess medical qualifications. | N.A. | Below 35 years | <p><i>Essential :</i></p> <p>(i) Medical qualifications included in the first and second schedule and Part II of the Third Schedule to the Indian Medical Council Act, 1956.</p> <p>OR</p> <p>A Master's degree in science.</p> <p>OR</p> <p>A degree in science with post graduate qualifications in physio-therapy.</p> <p>(ii) About 2 years' experience in Physio-therapy.</p> <p>(Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).</p> |

| 8    | 9       | 10  | 11   | 12                          | 13   | 14 |
|------|---------|---|------|-----------------------------|--|----|
| N.A. | 2 years | By direct recruitment or by deputation from the appropriate grade of the C. H. S.—the particular method in each case being determined in consultation with the Commission”. | N.A. | N.A. For direct recruitment | 1. The maximum age limit will be relaxed for candidates belonging to Scheduled Castes/Tribes, Displaced Persons and other categories of persons in accordance with the orders of the Govt. of India issued from time to time.<br>2. The appointment is subject to furnishing a declaration to the effect that the candidate does not have more than one wife living/ in the case of woman officer that she is not married to a person having more than one wife. |    |

[No. F. 3(1)-44/57-H.II.]

BASHESHAH NATH, Under Secy.

## ORDER

*New Delhi, the 13th March 1961*

**G.S.R. 365.**—In exercise of the powers conferred by article 263 of the Constitution, the President hereby makes the following amendments in Order No. F. 15-1/54-LSG, dated the 4th/6th September, 1954, establishing the Central Council of Local Self Government, namely:—

In the said order—

- (1) in clause 5(i) of paragraph 1, the words “and village panchayats” shall be omitted,
- (2) in paragraph 2—
  - (i) in clause (a), the words “other than matters relating to village panchayats” shall be added at the end;
  - (ii) in each of clauses (b) and (c), after the words “local self government matters”, the words “other than matters relating to village panchayats” shall be inserted;
  - (iii) in clause (d), for the word “including”, the word “excluding” shall be substituted.

[No. F. 18-48/60-LSG.]

A. K. DAR, Under Secy.

## MINISTRY OF EDUCATION

*New Delhi, the 6th March, 1961*

**G.S.R. 366.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Laccadive, Minicoy and Amindivi Islands Education Department (class II posts) Recruitment Rules, 1960, namely:—

1. These rules may be called the Laccadive, Minicoy and Amindivi Islands Education Department (class II posts) Recruitment Amendment Rules, 1961.

2. In the Laccadive, Minicoy and Amindivi Islands Education Department (class II posts) Recruitment Rules, 1960 for rule 5, the following rule shall be substituted namely:—

- “5. *Disqualification.*—(a) No person, who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to service; and
- (b) no woman, whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service;

Provided that the Central Government may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.”

[No. F. 34-34/59-SE.2.]

R. K. KAPUR, Dy. Educational Adviser.

**MINISTRY OF WORKS, HOUSING AND SUPPLY**  
(Central Boilers Board)

*New Delhi, the 11th March 1961*

**G.S.R. 367.**—The following draft of certain regulations to amend the Indian Boiler Regulations, 1950, which the Central Boilers Board proposes to make in exercise of the powers conferred by section 28 of the Indian Boilers Act, 1923 (5 of 1923), is published as required by sub-section (1) of section 31 of the said Act, for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 31st March, 1961.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the



Central Boilers Board. Such objections or suggestions should be addressed to the Secretary, Central Boilers Board, Ministry of Works, Housing and Supply, North Block, New Delhi.

*Draft Regulations*

1. These Regulations may be called the Indian Boiler (Amendment) Regulations, 1961.

2. In the Indian Boiler Regulations, 1950, in clause (c) of regulation 335, the following proviso shall be inserted at the end namely:—

“provided that the restriction aforesaid regarding the position of feed discharge level would not apply in the case of water tube boilers.”

[No. S&PII/BL-9(26)/60.]

M. N. KALE, Secy.

*New Delhi, the 13th March 1961*

**G.S.R. 368.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the method of recruitment to the posts of computer in the Headquarters Office of the Director General of Supplies & Disposals, New Delhi, namely:—

1. **Short title.**—These rules may be called the Director General of Supplies & Disposals (Computer) Recruitment Rules, 1961.

2. **Application.**—These rules shall apply for recruitment to the post specified in column 1 of the Schedule annexed hereto.

3. **Number, classification and scale of pay.**—The number, classification of the post and the scale of pay attached thereto shall be as specified in columns 2, 3 and 4 of the said Schedule.

4. **Method of recruitment, age limit and other qualifications.**—The method of recruitment, the age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 11 of the said Schedule:

Provided that the upper age limit prescribed for direct recruitment may be relaxed in the case of candidates belonging to Scheduled Castes or a Scheduled Tribes or displaced persons and other special categories in accordance with the general orders issued from time to time by the Government of India.

5. **Disqualification.**—(a) No person who has more than one wife living or who having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to service; and

(b) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to service:

provided that the Central Government may if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

Provided that the Government of India may, if it is satisfied that there exist special grounds for doing so, exempt any such candidate from the operation of this rule.

## SCHEDULE

*Recruitment Rules for the posts of Computers in the Headquarters Office under Directorate*

| Name of post | No. of posts | Classification whether gazetted or non-gazetted and whether Ministerial or non-ministerial | Scale of pay                        | Whether selection or non-selection post | Methods of recruitment (i.e. whether by direct recruitment, by promotion or by transfer and percentage of vacancies to be filled by the various methods)   | Age limit (for direct recruitment) |
|--------------|--------------|--|-------------------------------------|---|--|------------------------------------|
| 1            | 2            | 3  | 4                                   | 5                                       | 6  | 7                                  |
| Rs.          |              |  |                                     |   |  |                                    |
| Computer     | 10           | Class II—Non-gazetted Non-Ministerial.   | Rs. 150—5—160—8—240—EB—8—280—10—300 | Selection post                          | To be filled by appointment of suitable departmental candidates. Computerists and Lower Division Clerks who possess the essential qualifications and experience prescribed for direct recruitment to this post. On their appointment to the ex-Cadre post of Computer, the permanent clerks will be treated on deputation in terms of the Ministry of Home Affairs O.M. No. 37/30/57-CS(D) dated the 13th November, 1957 and temporary clerks will have to sever their connection with the Central Secretariat Clerical Service. Otherwise to be filled by direct recruitment through the D.G.R.E. | 21—24 Years.                       |

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*General of Supplies and Disposals.*

| Educational and other qualifications. (for recruitment) | Direct | Period of probation, if any | Whether age and educational qualifications prescribed for direct recruitment will apply in case of recruitment by promotion/transfer | In case of vacancies filled by promotion/transfer/grades/sources from which promotion/transfer are to be made |
|---|--------|-----------------------------|--|---|
|---|--------|-----------------------------|--|---|

8

9

10

11

*Essential :*

Two years

Will not apply in the case of comptists but will apply in the case of Lower Division Clerks.

Comptists who have put in at least three years' service in the grade.

Graduate with Mathematics as one of the subjects for study.

*Desirable:*

Computors' certificate of a recognised Institute.

Or

At least one year's experience in computation of statistical data and handling calculating machines.

[No. ESII.49(11)/60.]

R. RAJAGOPALAN, Under Secy.

**MINISTRY OF INFORMATION & BROADCASTING***New Delhi, the 7th March, 1961*

**G.S.R. 369.**—In exercise of the powers conferred by sub-section (1) of Section 8C of the Press and Registration of Books Act, 1867, as amended, the Central Government hereby constitutes the Press and Registration Appellate Board consisting of the following namely—

1. Shri R. K. Ramadhyani, Secretary to the Government of India, Ministry of Information and Broadcasting—Chairman.
2. Shri G. S. Gaitonde, Joint Secretary, Ministry of Law, New Delhi—Member.

[No. 5/3/61-IP.]

D. R. KHANNA, Under Secy.

**MINISTRY OF REHABILITATION****(Office of the Chief Settlement Commissioner)***New Delhi, the 28th February 1961*

**G.S.R. 370/R/Amdt.LFV.**—In exercise of the powers conferred by section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby makes the following rules further to amend the Displaced Persons (Compensation and Rehabilitation), Rules, 1955, namely:—

(1) These Rules may be called the Displaced Persons (Compensation and Rehabilitation) Third Amendment Rules, 1961.

(2) In rule 33-B of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955 (hereinafter called the said rules) the figures and letter "XXXI-C" shall be omitted.

(Amendment No. LIV..... dated 28th February 1961).

(3) In the said rules, for Appendix XXXI, the following Appendix shall be substituted namely:—

**APPENDIX XXXI****LEASE AND CONVEYANCE DEED IN RESPECT OF DOUBLE STOREYED 'A' TYPE BUILDING IN VARIOUS REHABILITATION COLONIES IN DELHI.**

THIS INDENTURE made the..... day of ..... BETWEEN the President of India (hereinafter called the "Government" which expression shall unless repugnant to the context or meaning thereof include his successors and assigns) of the one part AND..... (hereinafter called "the allottee" which expression shall unless repugnant to the context or meaning thereof include his heirs, executors, administrators and assigns) of the other part.

2. AND WHEREAS the Government has built a double storeyed Building consisting of our tenements (two on the ground floor and two on the upper floor with a common passage and staircase for going to the upper floor as shown in the plan annexed to these presents on plot No..... situated in..... colony.

3. AND WHEREAS the tenements on the ground floor is called tenement No..... and tenement over tenement No..... is called tenement No..... and the adjoining ground floor tenement is called tenement No..... and the tenement over tenement No..... is called tenement No.....

4. AND WHEREAS the Government has agreed to transfer the said tenements to different parties with different rights attached thereto.

5. AND WHEREAS the Government has agreed to sell and the allottee has agreed to purchase tenement No..... and an undivided half share in the brick built staircase and Mumty in the said Building or Plot No..... for Rs..... (Rupees..... only) described in Schedule A hereto and shown in..... colour on the plan hereto annexed.

6. AND WHEREAS in consideration of the premium of Rs. .... (Rupees. .... only) paid by the said allottee and the ground rent reserved and agreed to be paid and the covenants of the said allottee the Government has agreed to demise to the said allottee the parcel of land described firstly in the schedule B hereto and shown in ..... colour on the plan and to demise to the said allottee the parcel of land described secondly/thirdly in the Schedule B hereto jointly with the purchaser of tenement No. .... for a period of 99 years on the terms and conditions hereunder contained.

7. AND WHEREAS section 8 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (hereinafter referred to as the "said Act") provides that a displaced Person shall be paid out of the compensation pool the amount of net compensation determined under Sub-Section (3) of Section 7 of the said Act as being payable to him and subject to the rules that may be made under the said Act, the Settlement Commissioner, or any other officer or authority authorised by the Chief Settlement Commissioner in that behalf may make such payment in any one of the forms mentioned therein or partly in one and partly in any other such form.

8. AND WHEREAS the said allottee of tenement No. .... has paid the total sum of Rs. .... (Rupees. .... only) being the purchase price of the tenement No. .... and undivided half share in the staircase and Mumty situated in the said building (the receipt whereof the Government doth hereby acknowledge and from the same doth hereby release the said allottee whereof a sum of Rs. .... (Rupees. .... only) has been paid in cash and the balance of Rs. .... (Rupees. .... only) paid by adjustment against the compensation payable under the said Act to the said allottee and his associate(s) whose names and extent of their shares are more precisely given in the schedule 'C' hereto and who has/have given his/their consent for transfer of his/their share in favour of the allottee and accordingly his/their name(s) is/are not joined with the allottee in the present deed as laid down in Rule No. 90(8) of the said Act.

9. AND WHEREAS the property the compensation of which has been adjusted against the value of the said tenement No. .... and the undivided half share in the said staircase and Mumty was mortgaged to Shri. .... son of. .... in West Pakistan and/or the said allottee was indebted in the sum of Rs. .... to Shri. .... son of. .... from West Pakistan and the said mortgagee/creditor has obtained a decree for Rs. .... from the Tribunal constituted under the Displaced Persons (Debts Adjustment) Act 1951, the intimation of which has been received by the Chief Settlement Commissioner from the Tribunal concerned and the mortgagee/creditor would therefore have a charge over the said tenement No. .... and half share in the staircase and Mumty to the extent of the mortgage/charge/debt of Rs. .... according to the provisions of the above Act until the mortgage/charge/debt is satisfied or is redeemed by the said allottee.

Now this indenture witnesseth that in consideration of the premises and for the purpose of carrying into effect the said sale and grant of the said lease the Government doth hereby grant, convey, release and assure unto the said allottee all that the said tenement No. .... and the undivided half share in the staircase and Mumty (the other undivided half share in the staircase and Mumty is to be granted to the allottee of tenement No. .... in the said building on the said Plot No. .... in colony, hereafter called "the said transferred premises").

To have and to hold the said transferred premises unto and to the use of the said allottee subject to the exceptions, reservations, conditions and covenants herein contained that is to say:—

- (1) The said allottee shall pay all general and local taxes, rates and cesses now imposed or assessed or which may at any time hereafter be imposed or assessed on the said transferred premises by any competent authority.
- (2) The said allottee ..... shall not make any alterations and/or additions to the said transferred premises either externally or internally without first obtaining the permission of the Government in writing.
- (3) The said allottee shall maintain the said transferred premises in a sanitary condition to the satisfaction of the authority concerned.

- (4) The said allottee shall not use the said tenement No..... for any purpose other than the purpose of residence/business and the said allottee shall not use the said staircase for any purpose other than the purpose of the staircase without previous consent in writing of the Government and shall not do anything which shall cause annoyance or inconvenience to the owners and/or occupants of adjoining tenements and shall not do anything which shall be detrimental to the owners and/or occupiers of adjoining tenements together with the use in common for conveyance of upper floor allottee only with the allottee of the adjoining first floor tenement being No..... the staircase and a passage and the open space in front leading to the staircase and also land under the staircase (shown hatched in..... colour on the plan annexed hereto).
- (5) The Government may by its officers and servants at all reasonable times and in a reasonable manner after 24 hours' notice in writing enter in and upon any part of the said transferred premises for the purpose of ascertaining that the said allottee has duly performed and observed the covenants and conditions to be performed and observed by him under these presents.
- (6) The Government shall have full right, power and authority at all times to do, through its officers or servants, all acts and things which may be necessary or expedient for the purpose of enforcing compliance with all or any of the terms conditions and reservations herein contained and to recover from the said allottee as a first charge upon the said transferred premises the cost of doing all or any such acts and things and all costs incurred in connection therewith or in any way relating thereto.
- \*(7) The said transferred premises shall remain charged to the extent of the mortgage/charge/debt of Rs..... in favour of the mortgagee/creditor according to the provisions of the Displaced Persons (Debts Adjustment) Act, 1951, until the mortgagee/charge/debt is satisfied or is redeemed by the said allottee.

AND THIS INDENTURE FURTHER WITNESSETH that in further consideration of the premises and the premium of Rs..... (Rupees..... only) paid on or before the execution of these presents and of the rent herein reserved and of the covenants on the part of the said allottee herein contained the Government doth hereby demise unto the said allottee ALL that piece or parcel of land containing by admeasurement about..... square yards situated at Plot No..... in..... colony more particularly described in the Schedule D hereunder written and delineated on the plan annexed to these presents and thereon coloured..... AND the Government doth hereby further demise unto the said allottee jointly with the allottee/allottees of tenements Nos..... in the said building all that piece or parcel of land containing by admeasurement about..... square yards situated at Plot No..... in..... colony more particularly described in the Schedule E hereunder written and delineated on the plan annexed to these presents and thereon coloured..... and the Government doth hereby further demise unto the allottee jointly with the allottee of tenements No..... in the said building all that piece or parcel of land containing by admeasurement about..... square yards situated at Plot No..... in..... colony and more particularly described in the Schedule F hereunder written and delineated on the plan annexed to these presents and thereon coloured..... all the said pieces of land described in Schedules D, E, and F are hereafter collectively called the said demised premises together with all rights, easements and appurtenance whatsoever to the said pieces of land belonging or in any wise appertaining excepting and reserving unto the Government all mines, minerals, mineral substances of every description, sand and clay in or under the premises hereby demised with full right and liberty at all times to do all acts and things which may be necessary or expedient for the purpose of searching for, digging, working, obtaining, removing and enjoying the same making the said allottee reasonable compensation for all damage done to hold the said land described in Schedule D hereunder written unto the said allottee and to hold the said land described in Schedule E hereunder written unto the said allottee jointly with the allottee of tenement No..... in the said building and to hold the said land described in Schedule F hereunder written unto the said allottee jointly with the allottee of tenements No..... in the said building for the term

\*only if serial number 9 is applicable.

of 99 years commencing from..... and yielding and paying therefore the yearly ground rent at the rate of Re. 1/- per annum per hundred square yard or fraction thereof to be calculated separately for each of these said pieces of land described in Schedules D, E and F hereunder written at the State Bank of India, New Delhi, or at such other places as may be notified by the Government for this purpose from time to time and the said allottee doth hereby covenant with the Government.

(1) from time to time and at all times during the said terms to pay and discharge all rates, taxes, charges and assessments of every description which are now or may at any time hereafter during the said term be imposed, charged or assessed upon the premises hereby demised or upon the transferred premises standing thereupon or the landlord or tenant in respect thereof;

(2) not to make any excavations in the land hereby demised or remove any minerals, mineral substances of any description, sand or clay from the said land without consent in writing of and in accordance with the terms and the conditions prescribed by the Government;

(3) at all times during the said term to keep the said tenement No..... and staircase Mumty situated on the demised premises in good and substantial repair;

(4) on the expiration or sooner determination of the said term peaceably to yield up the demised premises;

(5) not to make any alterations in the existing plan or elevation or any structural alterations in the building standing on the demised premises or in any part of such building without the written consent of the Government first had and obtained or permit the said building or any part thereof to be used for any purpose other than that of residence/business;

(6) during the continuance of these presents to permit and allow all existing drains, water pipes, sanitary and sewage system, electric lines and connections to be maintained and used for the purposes thereof respectively.

(7) (a) The ground rent will be subject to revision as provided for in (d) hereof.

(b) The said allottee shall before any assignment or transfer of the said premises hereby demised or any part thereof or his share therein obtain from the Government approval in writing of the proposed assignment or transfer and all such assignees and transferees and the heirs of the said allottee shall be bound by all the covenants and conditions herein contained and be answerable in all respects therefor.

(c) The said allottee herein may transfer his lease hold rights in the demised premises or any part thereof after obtaining the permission of the Government and the Government will not claim any unearned increment in the value of the said demised premises (being the difference in the premium paid by him to the Government as the market value of the land then prevailing) for permitting such transfer. In the event of any subsequent transfer of the said demised premises by the transferee, the Government shall be entitled to claim and recover the unearned increment in the value of the said demised premises, the amount so to be recovered being 50% of the unearned increment in the value of the said demised premises. In the case of any subsequent transfers after the first transfer the Government shall have the preemptive right to purchase the said demised premises and all the buildings and structures standing thereon after deducting 50% of the unearned increment as aforesaid.

(d) The Government shall also have the right to revise the annual ground rent of the demised premises at the time of any assignment or transfer of the premises hereby demised subsequent to the first transfer or assignment as aforesaid. The revised ground rent payable in such case shall be at the rate of 2½ per cent of the value of the land at the time of such transfer:

PROVIDED FURTHER THAT in the case of any transfer or assignment subsequent to the first transfer or assignment the Government shall also have the right to revise the ground rent hereby reserved on the first day of January of the year following the year in which thirty years from the date of such subsequent transfer or assignment shall be complete and thereafter at the end of each successive period of not less than thirty years, provided that the increase in the rent fixed at each enhancement shall not at each such time exceed one half of the increase in the letting value and such letting value shall be assessed by the authority appointed by the Government for the purpose.

PROVIDED ALWAYS THAT any such assessment of letting value for the purpose of this provision shall be subject to the same right on the part of the said allottee of appeal from the orders of the said authority within the meaning of section 50 of the Punjab Land Revenue Act, 1887 (Act XVII of 1887) and the proceedings for or in relation to any such appeal shall be in all respects governed by the provisions of the said Act in the same manner as if the same had been taken thereunder.

(e) The ground rent will be payable in advance in half yearly instalments on the 15th January and 15th July each year. The ground rent shall be payable for the full half year for the period from the date of purchase or the grant of a lease of the site on the 15th January or 15th July, next following—as the case may be and shall be paid by the allottee at once at the time of such grants.

(8) (i) to pay the rent on the days and in the manner hereinbefore appointed for payment thereof and also to pay all taxes, rates and assessments that now are or may be after during the said term be imposed upon the said piece of land or building erected thereon or upon the Government or the said allottee is permitted sub-lessee or assignee in respect thereof under any enactment for the time being in force;

(ii) not to sub-divide the demised premises or building or staircase and Mumty erected thereon or any part thereof without the prior permission of the Government in writing;

(iii) not to do or permit anything in or upon the demised premises or any part thereof which may be or become a nuisance, annoyance or cause damage to occupiers of other tenements in the neighbourhood;

(iv) to register all changes in the possession of the demised premises whether by transfer, succession or otherwise in the register kept in the Office of the Local Authority having jurisdiction in the area in which the said land is situated (the expression local authority shall include the Delhi Improvement Trust) for this purpose within one calendar month from the respective dates of such changes (and if such changes are registered in the local sub-registry under the Indian Registration Act, 1908, within one calendar month from the date of registration in such sub-Registry) and if the said allottee shall without sufficient cause neglect to register such changes in the manner aforesaid with the Lands Officer appointed by the Local Authority for this purpose, the Government may impose on him for each such case of neglect a penalty not exceeding Rs. 100 and the Government may in addition to the other remedies available to it under these presents enforce the payment of such penalties in the same manner as in the case of arrears of land revenue;

(v) that all persons acting under the orders of Government shall be at liberty at all reasonable times in the day time during the said term to enter upon the said demised premises or any building that may be erected thereon for any purpose connected with these presents.

(vi) the said allottee and his successors and assignees shall on the determination of the lease on the expiry of the period of 99 years yield up the demised premises with all buildings erected thereon and the Government fixtures thereto provided that the Government shall pay to the said allottee the value of his interest in the said buildings and fixtures at the date of determination of the lease, such value to be determined in the absence of any agreement by two Arbitrators one to be appointed by each party. The provisions of the Indian Arbitration Act, 1940 and any statutory modification thereof shall apply to such arbitration. The Government may, however, renew the lease of the land after the expiry of 99 years on such terms and conditions as considered necessary by the Government;

(vii) if during the period of the lease the said demised premises and part thereof and the transferred premises thereon are required for a public purpose or for any administrative purpose by the Government, the Government shall at the expiry of a notice of 15 days to the effect that the said demised and transferred premises are required for such purpose to be served upon the said allottee by an officer appointed by the Government in that behalf be at liberty to take possession of the demised and transferred premises TOGETHER WITH all buildings, structures and appurtenances. The said allottee shall be entitled to compensation in respect of his interest in the said land buildings and structures. The compensation payable under this clause shall, in case of dispute be determined by the Government or by such officer as it may appoint



for the purpose as nearly as may be in accordance with the provisions of the Land Acquisition Act or Regulations for the time being in force relating to the same and the decision of the Government or such officer shall be final and conclusive.

(viii) any sum of money due to or claimable by the Government in respect of land hereby demised shall be recoverable by the Government as an arrear of land revenue under the provisions of the Punjab Land Revenue Act, 1887 (XVII of 1887) and any amending Act for the time being in force.

II. PROVIDED ALWAYS that if any part of the rent shall be in arrears of unpaid for the calendar month next after any of the dates whereon the same shall have been paid whether the same shall have been demanded or not and if there shall have been in the opinion of the Government any breach by the said allottee or by any person claiming through or under him/them of any of the covenants or conditions hereinbefore contained then and in such case the Government may notwithstanding the waiver of any previous cause or right of re-entry enter upon any part of the premises hereby demised or of the building thereon or part thereof in the name of whole and thereupon the said premises and building shall remain to the use of and be vested in the Government and this demise shall absolutely determine and that said allottee shall not be entitled to any compensation whatsoever.

III. IT IS HEREBY AGREED AND DECLARED that the Conveyance of said transferred premises shall in all respects be subject to the terms and conditions of the lease of the demised premises as herein provided and this Conveyance and grant of lease by the Government shall be deemed to be a grant or transfer of land or interest therein by the Government for the purpose of the Government Grants Act, 1895 (Act XV of 1895).

#### SCHEDULE A ABOVE REFERRED TO:

*Description of the structure of the transferred premises.*

1st Floor. /

1. All That brick built tenement consisting of two rooms, a kitchen a bath room and a lavatory. Balconies on front and on back.

2. Brick built staircase and Mumty.

Ground Floor. /

All that brick built tenement consisting of two rooms, a kitchen, a bathroom and lavatory.

#### SCHEDULE B ABOVE REFERRED TO:

*Description of demised land. /*

1. Land in front of the ground floor tenement measuring about ..... sq. yards.

2. Land under the superstructure and in the back courtyard.

3. Land in the passage leading to the staircase and that of the staircase measuring about ..... sq. yds.

#### SCHEDULE C. ABOVE REFERRED TO:

Names of the allottees and the Associates showing extent of the share.

1. Names of the allottee ..... Extent of share.

Shri/Shmt./S/Shri .....

.....  
.....

2. Names of Associates.

(a) Shri/Shmt./S/Shri .....

.....  
.....

(b) Shri/Shmt./S/Shri .....

.....  
.....

(c) Shri/Shmt/S/Shri .....

.....  
.....

(d) Shri/Shmt/S/Shri .....

.....  
.....

#### SCHEDULE D. ABOVE REFERED TO:

(Description of land leased to the allottee above).

Land in front of the ground floor measuring ..... yds.

#### SCHEDULE E ABOVE REFERED TO:

[Description of land leased jointly with upper floor allottee/ground floor allottee.]

Land under the superstructure and the back courtyard measuring about ....  
..... sq. yds.

#### SCHEDULE F. ABOVE REFERED TO:

(Description of land leased jointly with adjoining upper floor allottee).

Land under the passage Leading to staircase and that under the staircase measuring about ..... sq. yds.

IN WITNESS WHEREOF the parties hereto have set their hands the day and the year first above written.

Signed by .....

for and on behalf of the President of India in the presence of:

(1)

(2)

Signed by .....

in the presence of:

(1)

(2)

(Amendment No. LIV ..... dated 28th February, 1961).

(4) In the said rules, for Appendix XXXI-A the following Appendix shall be substituted namely:—

#### APPENDIX XXXI-A.

#### LEASE AND CONVEYANCE DEEDS IN RESPECT OF DOUBLE STOREYED 'C' TYPE BUILDINGS IN VARIOUS REHABILITATION COLONIES IN DELHI.

1. THIS INDENTURE made the ..... day of ..... between the President of India (hereinafter called the 'Government' which expression shall unless repugnant to the context or meaning thereof include his successors and assigns) of the one part AND ..... (hereinafter called 'the allottee' which expression shall unless repugnant to the context or meaning thereof include his heirs, executors, administrators and assigns) of the other part.

2. AND WHEREAS the Government has built a double storeyed building consisting of ..... tenements (..... on ground floor and ..... on upper floor with common passage and stair cases for going to the upper floor) and a lavatory block in the corner as shown on the plan annexed to these presents on plot No. .... situated in ..... Colony.

3. AND WHEREAS the tenements on ground floor are called tenement Nos. .... and the tenements over the said respective tenements are called tenement Nos. .... respectively, and on the corner of each block on ground floor as well as upper floor, there are common lavatories and bath rooms, ownership of which shall remain joint between all the purchasers of the respective tenements in the block.

4. AND WHEREAS the government has agreed to transfer the said tenements to different parties with different rights attached thereto.

5. AND WHEREAS the government has agreed to sell and the allottee has agreed to purchase tenement No. .... and an undivided ... share in the brick built stair case and undivided ... share in the brick built lavatory block in the said block No. .... for Rs. .... (Rupees .... only). described in Schedule A hereto shown in ..... colour on the plan hereto annexed.

6. AND WHEREAS in consideration of the premium of Rs. .... (Rupees .... only) paid by the said allottee and the ground rent received and agreed to be paid and the covenants of the said allottee the Government has agreed to demise to the said allottee the parcels of land described in the Schedule 'B' and shown in colour on the plan jointly with the allottee of tenement No. .... for a period of 99 years on the terms and condition here under contained.

7. AND WHEREAS section 8 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (hereinafter referred to as the "said Act") provides that a Displaced Person shall be paid out of the compensation pool the amount of net compensation determined under Sub-Section (3) of Section 7 of the said Act as being payable to him and subject to the rules that may be made under the said Act, the Settlement Commissioner, or any other officer or authority authorised by the Chief Settlement Commissioner in that behalf may make such payment in any one of the forms mentioned therein or partly in one and partly in any other such form.

8. AND WHEREAS the said allottee of tenement No. .... has paid the total sum of Rs. .... (Rupees .... only) being the purchase price of the tenement No. .... and undivided share in the staircase and lavatory block situated in the said building (the receipt whereof the Government doth hereby acknowledge and from the same doth hereby release the said allottee whereof a sum of Rs. .... (Rupees .... only) has been paid in cash and the balance of Rs. .... (Rupees .... only) paid by adjustment against the compensation payable under the said Act to the allottee and his associate(s) whose names and extent of their shares are more precisely given in the schedule "C" hereto and who has, have given his/their consent for transfer of his/their share in favour of the allottee and accordingly his/their name(s) is/are not joined with the allottee in the present deed as laid down in Rule No. 90(8) of the said Act.

9. AND WHEREAS the property the compensation of which has been adjusted against the value of the said tenement No. .... and the undivided ... share in the said staircase and lavatory block was mortgaged to Shri .... son of Shri .... in West Pakistan and/or the said allottee was indebted in the sum of Rs. .... to Shri .... son of Shri .... in West Pakistan and the said mortgagee/creditor has obtained a decree for Rs. .... from the Tribunal constituted under the Displaced Persons (Debts Adjustment) Act, 1951, the intimation of which has been received by the Chief Settlement Commissioner, from the Tribunal concerned and the mortgagee/creditor would therefore have a charge over the said tenement No. .... and the undivided ... share in the staircase and the undivided ... share in the lavatory block to the extent of the mortgage/charge/debt of Rs. .... according to the provisions of the above Act until the mortgage/charge/debt is satisfied or is redeemed by the said allottee.

10. NOW THIS INDENTURE WITNESSETH that in consideration of the premises and for the purpose of carrying into effect the said sale and grant of the said lease the Government doth hereby grant convey release and assure unto the said allottee all that the said tenement No. .... and undivided ... share in the staircase and lavatory block (the other undivided ... share in the staircase and lavatory block is to be granted to the allottee of tenement No. ....) situated in the said building on the Plot No. .... situated in ..... colony (hereinafter called the 'said transferred premises').

TO HAVE AND TO HOLD the said transferred premises unto and to the use of the said allottee subject to the exceptions reservations, conditions and covenants herein contained that is to say:—

(1) The said allottee shall pay all general and local taxes, rates and cesses now imposed or assessed or which may at any time here-

after be imposed or assessed on the said transferred premises by any competent authority.

- (2) The said allottee shall not make any alterations and/or additions to the said transferred premises either externally or internally without first obtaining the permission of the Government in writing.
- (3) The said allottee shall maintain the said transferred premises in a sanitary condition to the satisfaction of the authorities concerned.
- (4) The said allottee shall not use the said tenement No. .... for any purpose other than the purpose of residence/business and the said allottee shall not use the said staircase for any purpose other than the purpose of the staircase without previous consent in writing of the Government and shall not do anything which shall cause annoyance or inconvenience to the owners and/or occupants of adjoining tenements/and shall not do any thing which shall be detrimental to the owners and/or occupiers of adjoining tenements for conveyance of upper floor allottees only together with the use in common with the allottee of the adjoining first floor tenement being tenement No. ...., the staircase and a passage and the use in common of the said lavatory block with the allottee of tenement No. .... (shown hatched in ..... colour on the plan annexed thereto).
- (5) The Government may by its officers and servants at all reasonable times and in a reasonable manner after 24 hours' notice in writing enter in and upon any part of the said transferred premises for the purpose of ascertaining that the said allottee has duly performed and observed the covenant and conditions to be performed and observed by him under these presents.
- (6) The Government shall have full right, power and authority at all times to do, through its officers or servants all acts and things which may be necessary or expedient for the purpose of enforcing compliance with all or any of the terms conditions and reservations herein contained and to recover from the said allottee as a first charge upon the said transferred premises the cost of doing all or any such acts and things and all costs incurred in connection therewith or in any way relating thereto.

\* (7) The said transferred premises shall remain charged to the extent of the mortgage/charge/debt of Rs. \_\_\_\_\_ in favour of the mortgagee/creditor according to the provisions of the Displaced Persons (Debts Adjustment) Act, 1951, until the mortgage/charge/debt is satisfied or is redeemed by the said allottee.

AND THIS INDENTURE FURTHER WITNESSETH that in further consideration of the premises and the premium of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_ only) paid on or before the execution of these presents and of the ground rent herein reserved and of the covenants on the part of the said allottee herein contained the Government doth hereby demise unto the said allottee, jointly with the allottee/allottees of tenement Nos. \_\_\_\_\_ in the said building ALL those pieces or parcels of land containing by admeasurement about \_\_\_\_\_ square yards situated at plot No. \_\_\_\_\_ in \_\_\_\_\_ Colony more particularly described in the Schedule 'D' hereunder written and delineated on the plan annexed to these presents and thereon coloured \_\_\_\_\_ AND the Government doth hereby further demise unto the said allottee jointly with the allottee/allottees of tenement Nos. \_\_\_\_\_ in the said building all that piece or parcel of land containing by admeasurement about \_\_\_\_\_ square yards situated at Plot Nos. \_\_\_\_\_ in \_\_\_\_\_ Colony, more particularly described in the Schedule 'E' hereunder written and delineated on the plan annexed to these presents and thereon coloured \_\_\_\_\_, all the said pieces of land described in Schedules D & E hereto are hereafter called "the said demised premises". TOGETHER WITH all rights, easements and appurtenances whatsoever to the said pieces of land belonging or in any wise appertaining EXCEPTING AND RESERVING unto the Government all mines, minerals, mineral substance of every description, sand and clay in or under the premises hereby demised with full right and liberty at all times to do all acts and things which may be necessary or expedient for the purposes of searching for, digging, working, obtaining, removing and enjoying the same making the said allottee reasonable compensation for all damage done TO HOLD THE said land described in Schedule 'D' hereunder written unto the said allottee jointly with the allottee of tenement No. \_\_\_\_\_ in the said

\* only if recital number 9 is applicable.

building and to hold the said land described in Schedule 'E' hereunder written unto the said allottee jointly with the allottee of tenement No. \_\_\_\_\_ in the said building for the term of 99 years commencing from \_\_\_\_\_ and yielding and paying therefor the yearly ground rent at the rate of Re. 1 per annum per hundred sq. yds. or fraction thereof to be calculated separately for each of the said pieces of land described in Schedules D and E hereunder written at the State Bank of India, New Delhi or at such other place as may be notified by the Government for this purpose from time to time AND the said allottee doth hereby covenant with the Government.

(1) From time to time and at all times during the said term to pay and discharge all rates, taxes, charges and assessments of every description which are now or may at any time hereafter during the said term be imposed charged or assessed upon the premises hereby demised or upon the transferred premises standing thereupon or the landlord or tenant in respect thereof;

(2) Not to make any excavations in the land hereby demised or remove any minerals, mineral substances or any description, sand or clay from the said land without consent in writing of and in according with the terms and conditions prescribed by the Government;

(3) All times during the said term to keep the said tenement and staircase and lavatory blocks situated on the demised premises in good and substantial repair;

(4) On the expiration or sooner determination of the said term peaceably to yield up the demised premises;

(5) Not to make any alterations in the existing plan or elevation or any structural alterations in the building standing on the demised premises or in any part of such building without the written consent of the Government first had and obtained or permit the said building or any part thereof to be used for any purposes other than that of a residence/business;

(6) During the continuance of these presents to permit and allow all existing drains, water pipes, sanitary and sewage system, electric lines and connections to be maintained and used for the purposes thereof respectively.

(7) (a) The ground rent will be subject to revision as provided for in (d) hereof.

(b) The said allottee shall before any assignment or transfer of the said premises hereby demised or any part thereof or his share therein obtain from the Government approval in writing of the proposed assignment or transfer and all such assignees and transferees and the heirs of the said allottee shall be bound by all the covenants and conditions herein contained and be answerable in all respects therefor.

(c) The said allottee herein may transfer his lease-hold rights in the demised premises or any part thereof after obtaining the permission of the Government and the Government will not claim any unearned increment in the value of the said demised premises (being the difference in the premium paid by him to the Government and the market value of the land then prevailing) for permitting such transfer. In the event of any subsequent transfer of the said demised premises by the transferee, the Government shall be entitled to claim and recover the unearned increment in the value of the said demised premises, the amount so to be recovered being 50 per cent. of the unearned increment in the value of the said demised premises. In the case of any subsequent transfers after the first transfer the Government shall have the preemptive right to purchase the said demised premises and all the buildings and structures standing thereon after deducting 50 per cent. of the unearned increment as aforesaid.

(d) The Government shall also have the right to revise the annual ground rent of the demised premises at the time of any assignment or transfer of the premises hereby demised subsequent to the first transfer or assignment as aforesaid. The revised ground rent payable in such case shall be at the rate of 2½ per cent. of the value of the land at the time of such transfer;

PROVIDED FURTHER THAT in the case of any transfer or assignment subsequent to the first transfer or assignment the Government shall also have the right to revise the ground rent hereby reserved on the first day of January of the year following the year in which thirty years from the date of such subsequent transfer or assignment shall be complete and thereafter at the end of each successive period of not less than thirty years, provided that the increase in the rent fixed at each enhancement shall not at each such time exceed one half of the increase in the

letting value and such letting value shall be assessed by authority appointed by Government for the purpose.

PROVIDED ALWAYS THAT any such assessment of letting value for the purpose of this provision shall be subject to the same right on the part of the said allottee of appeal from the orders of the said authority within the meaning of section 50 of the Punjab Land Revenue Act, 1887 (Act XVII of 1887) and the proceedings for or in relation to any such appeal shall be in all respects governed by the provisions of the said Act in the same manner as if the same had been taken thereunder;—

(c) The ground rent will be payable in advance in half yearly instalments on the 15th January and 15th July each year. The ground rent shall be payable for the full half year for the period from the date of purchase or the grant of a lease of the site on the 15th January or 15th July next following as the case may be and shall be paid by the allottee at once at the time of such grant.

8. (i) to pay the rent on the days and in the manner hereinbefore appointed for payment thereof and also to pay all taxes, rates and assessments that now are or may hereafter during the said term be imposed upon the said pieces of land or building erected thereon or upon the Government or the said allottee his permitted sub-lessee or assignee in respect thereof, under any enactment for the time being in force;

(ii) not to sub-divide the demised premises or building or staircase and lavatory blocks erected thereon or any part thereof without the prior permission of the Government in writing;

(iii) not do or permit anything in or upon the demised premises or any part thereof which may be or become a nuisance, annoyance or cause damage to occupiers of other tenements in the neighbourhood;

(iv) to register all changes in the possession of the demised premises whether by transfer, succession or otherwise in the register kept in the office of the Local Authority having jurisdiction in the area in which the said land is situated (the expression local authority shall include the Delhi Improvement Trust) for this purpose within one calendar month from the respective dates of such changes (and if such changes are registered in the local sub-registry under the Indian Registration Act, 1908, within one calendar month from the date of registration in such sub-Registry) and if the said allottee shall without sufficient cause neglect to register such changes in the manner aforesaid with the Lands Officer appointed by a local authority for this purpose, the Government may impose on him for each such case of neglect a penalty not exceeding Rs. 100/- and the Government may in addition to the other remedies available to it under these presents enforce the payment of such penalties in the same manner as in the case of arrears of land revenue;

(v) That all persons acting under the orders of Government shall be at liberty at all reasonable times in the day time during the said term to enter upon the said demised premises or any building that may be erected thereon for any purpose connected with these presents;

(vi) The said allottee and his successors and assignees shall on the determination of the lease on the expiry of the period of 99 years yield up the demised premises with all building erected thereon and the Government fixtures thereto provided that the Government shall pay to the said allottee the value of his interest in the said buildings and fixtures at the date of determination of the lease, such value to be determined in the absence of any agreement by two Arbitrators one to be appointed by each party. The provisions of the Indian Arbitration Act, 1940 and any statutory modification thereof shall apply to such arbitration. The Government may, however, renew the lease of the land after the expiry of 99 years on such terms and conditions as considered necessary by the Government;

(vii) If during the period of the lease the said demised premises or any part thereof and the transferred premises thereon are required for a public purpose or for any administrative purpose by the Government, the Government shall at the expiry of a notice of 15 days to the effect that the said premises are required for such purpose to be served upon the said allottee by an officer appointed by the Government in that behalf be at liberty to take possession of the said demised and transferred premises. TOGETHER WITH all buildings, structures and appurtenances. The said allottee shall be entitled to compensation in respect of his interest in the said land buildings and structures. The compensation payable under this clause shall, in case of dispute be determined by the Government or by such officer

as it may appoint for the purpose as nearly as may be in accordance with the provisions of the Land Acquisition Act or Regulations for the time being in force relating to the same and the decision of the Government or such officer shall be final and conclusive,

(viii) any sum of money due to or claimable by the Government in respect of land hereby demised shall be recoverable by the Government as an arrears of land revenue under the provisions of the Punjab Land Revenue Act 1887 (XVII of 1887) and any amending Act for the time being in force,

II PROVIDED ALWAYS that if any part of the rent shall be in arrears or unpaid for one calendar month next after any of the dates whereon the same shall have been paid whether the same shall have been demanded or not and if there shall have been in the opinion of the Government any breach by the said allottee or by any persons claiming through or under him/them of any of the covenants or conditions hereinbefore contained then and in such case the Government may notwithstanding the waiver of any previous cause or right of re-entry enter upon any part of the premises hereby demised or of the building thereon or part thereof in the name of the whole and thereupon the said premises and building shall remain to the use of and be vested in the Government and this demise shall absolutely determine and the said allottee shall not be entitled to any compensation whatever

III IT IS HEREBY AGREED AND DECLARED THAT the Conveyance of said transferred premises shall in all respects be subject to the terms and conditions of the lease of the demised premises as herein provided and this Conveyance and grant of lease by the Government shall be deemed to be a grant or transfer of land or interest therein by the Government for the purpose of the Government Grants Act, 1895 (Act XV of 1895)

#### SCHEDULE 'A' ABOVE REFERRED TO

Description of the structure of the transferred premises

(i) All that ground floor/1st floor brick built tenement consisting of two rooms only

(ii) —————share in the staircase and —————share in lavatory block.

#### SCHEDULE 'B' ABOVE REFERRED TO

Description of land leased jointly with upper floor allottee/ground floor allottee.

(i) Land under the super-structure measuring about —————sq yards

Description of land leased jointly under staircase and lavatory block

(ii) Land under super-structure of staircases and lavatory blocks measuring about —————sq yds

#### SCHEDULE 'C' ABOVE REFERRED TO

Names of the allottee and associates showing extent of share

Names

Extent of share

ALLOTTEE

Shri/Shmt /S/Shri —————

—————

ASSOCIATES

Shri/Shmt /S/Shri —————

—————

Shri/Shmt /S/Shri —————

—————

Shri/Shmt /S/Shri —————

—————

## SCHEDULE 'D' ABOVE REFERRED TO:

Description of land leased jointly with upper-floor allottee/ground floor allottee  
Land under the superstructure measuring about \_\_\_\_\_sq. yards.

## SCHEDULE 'E' ABOVE REFERRED TO:

Description of land leased jointly under staircase and lavatory block.  
Land under the superstructure of staircases and lavatory block measuring about \_\_\_\_\_sq. yds.

IN WITNESS WHEREOF the parties hereto set their hands the day and the year first above written.

Signed by \_\_\_\_\_

for and on behalf of the President of India in the presence of:

1. \_\_\_\_\_
2. \_\_\_\_\_

Signed by \_\_\_\_\_

in the presence of:

1. \_\_\_\_\_
2. \_\_\_\_\_

(Amendment No. LIV \_\_\_\_\_ dated 28-2-61)

(5) In the said rules, for Appendix XXXI-B, the following Appendix shall be substituted namely:—

## APPENDIX XXXI-B

## LEASE AND CONVEYANCE DEED IN RESPECT OF DOUBLE STOREYED FLATS OVER SHOPS IN VARIOUS REHABILITATION COLONIES IN DELHI.

1. THIS INDENTURE MADE THE \_\_\_\_\_ day of \_\_\_\_\_ BETWEEN the President of India (hereinafter called the "Government" which expression shall unless repugnant to the context or meaning thereof include his successors and assigns) of the one part AND \_\_\_\_\_ (hereinafter called "the allottee" which expression shall unless repugnant to the context or meaning thereof include his heirs, executors, administrators and assigns) of the other part.

2. AND WHEREAS the Government has built a double storeyed building consisting of \_\_\_\_\_ shops/flats (\_\_\_\_\_ shops on the ground floor and \_\_\_\_\_ flats on the upper floor) with a joint/independent passage and staircase for going to the upper floor as shown in the plan annexed to these presents on plot No. \_\_\_\_\_ situated in \_\_\_\_\_ colony.

3. AND WHEREAS the shops on the ground floor are called shop Nos. \_\_\_\_\_ and flat over said respective shops are called flats No. \_\_\_\_\_ respectively.

4. AND WHEREAS the Government has agreed to transfer the said shops and flats to different parties with different rights attached thereto.

5. AND WHEREAS the Government has agreed to sell and the allottee has agreed to purchase shop/flat No. \_\_\_\_\_ and an undivided half share in the brick built staircase in the said block No. \_\_\_\_\_ for Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_ only).

6. AND WHEREAS in consideration of the premium of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_ only) paid by the said allottee and the ground rent reserved and agreed to be paid and the covenants of the said allottee the Government has agreed to demise to the said allotted piece of land described in the Schedule (B) and shown in \_\_\_\_\_ colour on the plan jointly with the allottee of shops/flats No. \_\_\_\_\_ for a period of 99 years on the terms and conditions hereunder contained.

7. AND WHEREAS section 8 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (hereinafter referred to as the "said Act" provides that a displaced person shall be paid out of the compensation pool the amount of the net compensation determined under sub-section (3) of section 7 of the said act as being payable to him and subject to the rules that may be made under the said Act, the Settlement Commissioner, or any other officer or Authority authorised by the Chief



Settlement Commissioner in that behalf may make such payment in any one of the forms mentioned therein or partly in one and partly in any other such form.

8. AND WHEREAS the said allottee of shop/flat No. \_\_\_\_\_ has paid the total sum of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_ only) being the purchase price of the shop/flat No. \_\_\_\_\_ and undivided share in the staircase situated in the said building (the receipt whereof the Government doth hereby acknowledge and from the same doth hereby release the said allottee whereof a sum of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_ only) has been paid in cash and the balance of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_ only) paid by adjustment against the compensation payable under the said Act to the allottee and his associate(s) whose name(s) and extent of their shares are more precisely given in the Schedule 'C' hereunder written and who has/have given his/their consent for transfer of his/their share in favour of the allottee and accordingly his/their name(s) is/are not joined with the allottee in the present deed as laid down in Rule 90(8) of the said Act.

9. AND WHEREAS the property the compensation of which has been adjusted against the value of the said shop/flat No. \_\_\_\_\_ and half-share in the said staircase was mortgaged to Shri \_\_\_\_\_ son of \_\_\_\_\_ in West Pakistan and/or the said allottee was indebted in the sum of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_ only) to Shri \_\_\_\_\_ son of \_\_\_\_\_ in West Pakistan AND the said mortgagee/creditor has obtained a decree for Rs. \_\_\_\_\_ from the Tribunal constituted under the Displaced Persons (Debts Adjustment) Act, 1951, the intimation of which has been received by the Chief Settlement Commissioner from the Tribunal concerned AND the mortgagee/creditor would therefore have a charge over the said shop/flat No. \_\_\_\_\_ and half-share in the staircase to the extent or mortgage/charge/debt of Rs. \_\_\_\_\_ according to the provision of the above Act until the mortgage/charge/debt is satisfied or is redeemed by the said allottee.

NOW THIS INDENTURE WITNESSETH that in consideration of the premises and for the purpose of carrying into effect the said sale and grant of the said lease the Government doth hereby grant, convey, release and assure unto the said allottee all that the said shop/flat and the undivided half-share (the other undivided share in the staircase is to be granted to the purchaser of shop/flat No. \_\_\_\_\_) in the said building on the said plot No. \_\_\_\_\_ in \_\_\_\_\_ colony hereinafter called "the said transferred premises".

TO HAVE AND TO HOLD the said transferred premises unto and to the use of the said allottee subject to the exceptions, reservations, conditions and covenants herein contained that is to say:—

(1) The said allottee shall pay all general and local taxes, rates and cesses now imposed or assessed on the said transferred premises by any competent authority.

(2) The said allottee shall not make any alterations and/or additions to the said transferred premises either externally or internally without first obtaining the permission of the Government in writing.

(3) The said allottee shall maintain the said transferred premises in a sanitary condition to the satisfaction of the authorities concerned.

(4) The said allottee shall not use the said shop/flat No. \_\_\_\_\_ for any purpose other than the purpose of residence/business and the said allottee shall not use the said staircase for any purpose other than the purpose of the staircase without previous consent in writing of the Government and shall not do anything which shall cause annoyance or inconvenience to the owners and/or occupants of adjoining shop/flat (for conveyance of upper floor allottees only) together with the use in common with the owner of the adjoining first floor shop/flat being No. \_\_\_\_\_ the staircase and a passage and the open space in front leading to the staircase and also land under the staircase (shown hatched in \_\_\_\_\_ colour on the plan annexed hereto).

(5) The Government may by its officers and servants at all reasonable times and in a reasonable manner after 24 hours' notice in writing enter in and upon any part of the said transferred premises for the purpose of ascertaining that the said allottee has duly performed and observed the covenants and conditions to be performed and observed by him under these presents.

(6) The Government shall have full right, power and authority at all times to do, through its officers or servants, all acts and things which may be necessary or expedient for the purpose of enforcing compliance with all or any of the terms, conditions and reservations herein contained and to recover from the said allottee as a first charge upon the said transferred premises the cost of doing all or any such acts and things and all costs incurred in connection therewith or in any way relating thereto.

(7) The said transferred premises shall remain charged to the extent of the mortgage/charge/debt of Rs. \_\_\_\_\_ in favour of the mortgagee/creditor according to the provisions of the Displaced Persons (Debts Adjustments) Act, 1951, until the mortgage/charge/debt is satisfied or is redeemed by the said allottee.

AND THIS INDENTURE FURTHER WITNESSETH that in further consideration of the premises and the premium of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_ only) paid on or before the execution of these presents and of the rent herein reserved and of the covenants on the part of the said allottee herein contained the Government doth hereby demise unto the said allottee (jointly with the allottee/allottees of shop/flat No. \_\_\_\_\_ in the said building) all that piece or parcel of land containing by admeasurement about \_\_\_\_\_ square yards situated at plot No. \_\_\_\_\_ in \_\_\_\_\_ colony more particularly described in the Schedule D hereunder written and delineated on the plan annexed to these presents and thereon coloured \_\_\_\_\_. AND the Government doth hereby further demise unto the said allottee (jointly with the allottee of shop/flat No. \_\_\_\_\_ in the said building) all that piece or parcel of land containing by admeasurement about \_\_\_\_\_ sq. yards situated at plot No. \_\_\_\_\_ in \_\_\_\_\_ colony and more particularly described in Schedule E hereunder written and delineated on the plan annexed to these presents and thereon coloured \_\_\_\_\_. all the said pieces of land described in Schedules D and E hereto are hereinafter called "the said demised premises". TOGETHER WITH all rights, easements and appurtenance whatsoever to the said pieces of land belonging or in any wise appertaining EXCEPTING AND RESERVING unto the Government all mines, minerals, mineral substances of every description, sand and clay in or under the premises hereby demised with full right and liberty at all times to do all acts and things which may be necessary or expedient for the purpose of searching for digging, working, obtaining, removing and enjoying—the same making the said allottee reasonable compensation for all damage done TO HOLD the said land described in Schedule D hereunder written unto the said allottee jointly with the allottee of shop/flat No. \_\_\_\_\_ in the said building AND TO HOLD the said land described on Schedule E hereunder written unto the said allottee jointly with the allottee of shop/flat No. \_\_\_\_\_ in the said building for the term of 99 years commencing from and yielding and paying therefor the yearly ground rent at the rate of Re. 1/- per annum per hundred square yard or fraction thereof to be calculated separately for each of the said pieces of land described in Schedules D and E hereunder written at the State Bank of India, New Delhi, or at such other places as may be notified by the Government for this purpose from time to time and the said allottee doth hereby covenant with the Government.

(1) from time to time and at all times during the said term of pay and discharge all rates, taxes charges and assessments of every description which are now or may at any time hereafter during the said term be imposed, charged or assessed upon the premises hereby demised or upon the transferred premises standing thereupon or the landlord or tenant in respect thereof;

(2) not to make any excavations in the land hereby demised or remove any minerals, mineral substances of any description, sand or clay from the said land without consent in writing of and in accordance with the terms and conditions prescribed by the Government;

(3) at all times during the said term to keep the said shop/flat No. \_\_\_\_\_ and staircase situated on the demised premises in good and substantial repair;

(4) on the expiration or sooner determination of the said term peaceably to yield up the demised premises;

(5) not to make any alterations in the existing plan or elevation or any structural alterations in the building standing on the demised premises or in any part of such building without the written consent of the Government first had and obtained or permit the said building or any part thereof to be used of—or any purpose other than that of residence/business;

(6) during the continuance of these presents to permit and allow all existing drains, water pipes, sanitary and sewage system, electric lines and connections to be maintained and used for the purpose thereof respectively.

(7)(a) The ground rent will be subject to revision as provided for in (d) hereof.

(d) The said allottee shall before any assignment or transfer of the said premises hereby demised or any part thereof or his share therein obtain from the Government approval in writing of the proposed assignment or transfer and all such assignees and transferees and the heirs of the said allottee shall be bound by all the covenants and condition herein contained and be answerable in all respects therefor.

(c) The said allottee herein may transfer his leasehold rights in the demised premises or any part thereof after obtaining the permission of the Government and the Government will not claim any unearned increment in the value of the said demised premises (being the difference in the premium paid by him to the Government and the market value of the land then prevailing) for permitting such transfer. In the event of any subsequent transfer of the said demised premises by the transferee, the Government shall be entitled to claim and recover the unearned increment in the value of the said demised premises, the amount so to be recovered being 50 per cent of the unearned increment in the value of the said demised premises. In the case of any subsequent transfers after the first transfer the Government shall have the pre-emptive right to purchase the said demised premises and all the buildings and structures standing thereon after deducting 50 per cent of the unearned increment as aforesaid.

(d) The Government shall also have the right to revise the annual ground rent of the demised premises at the times of any assignment or transfer of the premises hereby demised subsequent to the first transfer or assignment as aforesaid. The revised ground rent payable in such case shall be at the rate of 2½ per cent of the value of the land at the time of such transfer.

PROVIDED FURTHER THAT in the case of any transfer or assignment subsequent to the first transfer or assignment the Government shall also have the right to revise the ground rent hereby reserved on the first day of January of the year following the year in which thirty years from the date of such subsequent transfer or assignment shall be completed and thereafter at the end of each successive period of not less than thirty years, provided that the increase in the rent fixed at each enhancement shall not at such time exceed one-half of the increase in the letting value and such letting value shall be assessed by the authority appointed by the Government for the purpose:

PROVIDED ALWAYS THAT any such assessment of letting value for the purpose of this provision shall be subject to the same right on the part of the said allottee of appeal from the orders of the said authority within the meaning of section 50 of the Punjab Land Revenue Act, 1887 (Act XVII of 1887) and the proceedings for or in relation to any such appeal shall be in all respects governed by the provisions of the said Act in the same manner as if the same had been taken thereunder.

(e) The ground rent will be payable in advance in half yearly instalments on the 15th January, and 15th July each year. The ground rent shall be payable for the full half year for the period from the date of purchase or the grant of a lease of the site on the 15th January or 15th July next following as the case may be and shall be paid by the allottee at once at the time of such grant.

(8)(i) to pay the rent on the days and in the manner hereinbefore appointed for payment thereof and also to pay all taxes, rates and assessments that now are or may hereafter during the said term be imposed upon the said land or building erected thereon or upon the Government or the said allottee his permitted sub-lessee or assignee in respect thereof; under any enactment for the time being in force;

(ii) not to sub-divide the demised premises or building or staircase and shop/flat erected thereon or any part thereof without the prior permission of the Government in writing;

(iii) not to do or permit anything in or upon the demised premises or any part thereof which may be or become a nuisance, annoyance or cause damage to occupiers of other shop/flat in the neighbourhood;

(iv) to register all changes in the possession of the demised premises whether by transfer succession or otherwise in the register kept in the office of the Local Authority having jurisdiction in the area in which the said land is situated (the

expression local authority shall include the Delhi Improvement Trust) for this purpose within one calendar month from the respective dates of such changes (and if such changes are registered in the local sub-registry under the Indian Registration Act, 1908 within one calendar month from the date of registration in such sub-registry) and if the said allottee shall without sufficient cause neglect to register such changes in the manner aforesaid with the Lands Officer appointed by the Local Authority for this purpose, the Government may impose on him for each such case of neglect a penalty not exceeding Rs. 100/- and the Government may in addition to the other remedies available to it under these presents enforce the payment of such penalties in the same manner as in the case of arrears of land revenue;

(v) that all persons acting under the orders of Government shall be at liberty at all reasonable times in the day time during the said term to enter upon the said demised premises or any building that may be erected thereon for any purpose connected with these presents;

(vi) the said allottee and his successors and assignees shall on the determination of the lease on the expiry of the period of 99 years yield up the demised premises with all building erected thereon and the Government fixtures thereto provided that the Government shall pay to the said allottee the value of his interest in the said buildings and fixtures at the date of determination of the lease, net value to be determined in the absence of an agreement by two arbitrators one to be appointed by each party. The provisions of the Indian Arbitration Act, 1940 and any statutory modification thereof shall apply to such arbitration. The Government, may however, renew the lease of the land after the expiry of 99 years on such terms and conditions as considered necessary by the Government;

(vii) If during the period of the lease the said demised premises or any part thereof and the transferred premises thereon are required for a public purpose or for any administrative purpose by the Government, the Government shall at the expiry of a notice of 15 days to the effect that the said premises are required for such purpose to be served upon the said allottee by an officer appointed by the Government in that behalf be at liberty to take possession of the said demised and transferred premises. The said allottee shall be entitled to compensation in respect of his interest in the said land buildings and structures. The compensation payable under this clause shall, in case of dispute be determined by the Government or by such officer as he may appoint for the purpose as nearly as may be in accordance with the provisions of the Land Acquisition Act or Regulations for the time being in force relating to the same and the decision of the Government or such officer shall be final and conclusive;

(viii) any sum of money due to or claimable by the Government in respect of land hereby demised shall be recoverable by the Government as an arrear of land revenue under the provisions of the Punjab Land Revenue Act, 1887 (XVII of 1887) and any amending Act for the time being in force;

II. PROVIDED ALWAYS that if any part of the rent shall be in arrears or unpaid for one calendar month next after any of the dates whereon the same shall have been paid whether the same shall have been demanded or not and if there shall have been in the opinion of the Government any breach by the said allottee or by any person claiming through or under him/them of any of the covenants or conditions hereinbefore contained then and in such case the Government may notwithstanding the waiver of any previous cause or right of re-entry enter upon any part of the premises hereby demised or of the building thereon or part thereof in the name of the whole and thereupon the said premises and building shall remain to the use of and be vested in the Government and this demise shall absolutely determine and the said allottee shall not be entitled to any compensation whatever.

III. IT IS HEREBY AGREED AND DECLARED that the conveyance of the said transferred premises shall in all respect be subject to the terms and conditions of the lease of the demised premises as herein provided and this conveyance and grant of lease by the Government shall be deemed to be a grant of transfer or land or interest therein by the Government for the purpose of the Government Grants Act, 1895 (Act XV of 1895).

#### SCHEDULE A ABOVE REFERRED TO:

##### Description of the structure of the transferred premises

(a) All that brick built flat over shop No. \_\_\_\_\_/shop No.(s) below the said flat—

(b) Brick built staircase for the flats on first floor.

## SCHEDULE B ABOVE REFERRED TO:

Description of demised land

- (1) Land under the superstructure measuring about \_\_\_\_\_sq. yards.  
 (2) Land under the staircase and measuring about \_\_\_\_\_sq. yards.

## SCHEDULE C ABOVE REFERRED TO:

Names of the Allottee and the Associates showing extent of the shares

| <i>Names</i>              | <i>Extent of share</i> |
|---------------------------|------------------------|
| <b>ALLOTTEE</b>           |                        |
| Shri/Shrimati/Sarvshri    | _____                  |
|                           | _____                  |
|                           | _____                  |
| <b>ASSOCIATES</b>         |                        |
| 1. Shri/Shrimati/Sarvshri | _____                  |
|                           | _____                  |
|                           | _____                  |
| 2. Shri/Shrimati/Sarvshri | _____                  |
|                           | _____                  |
|                           | _____                  |
| 3. Shri/Shrimati/Sarvshri | _____                  |
|                           | _____                  |
|                           | _____                  |
| 4. Shri/Shrimati/Sarvshri | _____                  |
|                           | _____                  |
|                           | _____                  |

## SCHEDULE D ABOVE REFERRED TO:

Description of land leased jointly with upper floor/ground floor allottee  
 Land under superstructure measuring about \_\_\_\_\_sq. yards.

## SCHEDULE E ABOVE REFERRED TO:

Description of land leased jointly with the other allottee of the staircase

Land under the staircase measuring about \_\_\_\_\_sq. yards.

IN WITNESS WHEREOF the parties hereto have set their hands the day and the year first above written.

Signed by \_\_\_\_\_

for and on behalf of the President of India in the presence of:

1. \_\_\_\_\_
2. \_\_\_\_\_

Signed by \_\_\_\_\_

in the presence of:

1. \_\_\_\_\_
2. \_\_\_\_\_

(Amendment No. LIV, dated 28th February 1961.)

(6) Appendix XXXI-C of the said rules shall be omitted.

(Amendment No. LIV, dated 28th February 1961.)

*New Delhi, the 13th March 1961*

**G.S.R. 371.**—In exercise of the powers conferred by section 23 of the Evacuee Interest (Separation) Act, 1951 (64 of 1951), the Central Government hereby makes the following rules further to amend the Evacuee Interest (Separation) Rules, 1951, namely:—

1. These rules may be called the Evacuee Interest (Separation) Amendment Rules, 1961.

2. In rule 11-B of the Evacuee Interest (Separation) Rules, 1951 (hereinafter referred to as the said rules),—

- (i) in sub-clause (i) of clause (b), for the figures, abbreviation and words, . . . . "30 per cent of the assessed price of the evacuee share in cash and the balance by associating claimants", the words "the entire price of such evacuee share, either in cash or by associating claimants or partly in cash and partly by associating claimants" shall be substituted;
- (ii) in sub-clause (ii) of clause (b), for the figures and words, "30 per cent of the assessed price of the evacuee share in cash and the balance by associating claimants", the words "the entire price of such evacuee share, either in cash or by associating claimants or partly in cash and partly by associating claimants" shall be substituted;
- (iii) in sub-clause (i) of clause (c), for the figures and words, "30 per cent of the assessed price of the evacuee share in cash and the balance by associating claimants", the words "the entire price of such evacuee share, either in cash or by associating claimants or partly in cash and partly by associating claimants" shall be substituted.

3. For rule 11-C of the said rules, the following rule shall be substituted, namely:—

*"Deposit of purchase money.*—Every purchaser of evacuee share, desiring to pay the purchase price or any part thereof in cash, shall pay the same within fifteen days of such purchase or within such further time as the Competent Officer may allow."

4. In rule 11-D of the said rules,—

- (1) for sub-clause (i) of clause (b) of sub-rule (8), the following sub-clause shall be substituted, namely:—

"(i) where the highest bidder is a non-displaced person, he shall pay towards the balance of the purchase money to the Competent Officer within fifteen days of the acceptance of his bid or within such further time as may be granted in this behalf by the Competent Officer, the entire sale price attributable to the non-evacuee interest in cash and the entire price attributable to the evacuee interest, either in cash or by associating claimants, or partly in cash and partly by associating claimants."

- (2) for clause (a) and sub-clauses (i) and (ii) of clause (b) of sub-rule (15), the following clause shall be substituted, namely:—

"(a) The displaced person shall pay the price of the share of non-evacuee in cash to the Competent Officer within fifteen days of the acceptance of bid or within such further time as the Competent Officer may allow and shall be entitled to pay the entire price of the evacuee share, either in cash or by adjustment of compensation, if any, due to him against his own verified claim. If his own compensation does not cover the entire price of the evacuee share, he shall be entitled to pay the balance either in cash or by associating claimants or if he has no verified claim in his own name, he shall be entitled to pay the entire price of the evacuee share either in cash or by associating claimants or partly in cash and partly by associating claimants.

- (3) the existing sub-clauses (iii) and (iv) of clause (b) of sub-rule (15) shall be re-numbered as clauses (b) and (c) respectively."

5 After rule 11 D(D) of the said rules, the following rule shall be inserted, namely.—

1 D(D)(A) *Time within which association of claims may be made or cash deposited.*—Any person entitled under these rules to adjust purchase price or any part thereof by association of claims shall so adjust within such time as may be specified in this behalf by the Central Government by notification in the Official Gazette”

6 In rule 11-E of the said rules,—after sub-clause (1), the following provisos shall be inserted, namely —

“Provided that in cases where the price of the evacuee share has been paid by associating claimants, the property shall be transferred jointly in the name of the purchaser and his associate claimants in proportion to the amounts adjusted by association”

Provided further that if every such displaced person who has associated himself with the purchaser sends an intimation in writing to the Competent Officer that the sale certificate/sale deed may be made out in the name of the purchaser, the sale certificate/sale deed may be made out in the name of the purchaser”

[No 5(24)/59-Prop II-Comp ]

I N CHIB, Dy Secy-

